

135912-00001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF) Examiner: Hilary Gutman
)
Searfoss) Group Art Unit: 3612
)
SERIAL NO.: 10/664,806)
)
FILED: September 17, 2003) Confirmation No. 3469
)
For: Trailer Cover System)

RESPONSE TO OFFICE COMMUNICATION DATED SEPTEMBER 29, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This is in response to the Office Communication dated September 29, 2009.

The Communication was improperly sent to prior counsel, Larson Newman & Abel, LLP. A revocation and new power of attorney were filed as shown in PAIR. The power of attorney listed only the publication number, but it corresponds to application 10/664,806.

The Office Communication notes that the "Supplemental Appeal Brief filed 8/13/08" (filed by prior counsel) is a non-compliant appeal brief. It appears to simply be two faxed pages of Replacement pages 4 and 4A (p.2 and p.3 are the fax number pages) that are already in the record. These two pages are clearly not a compliant appeal brief. I cannot clarify why this paper had been filed. The 8/13/08 two-page fax submission does not need to be entered.

A conference with examiner Hilary Gutman indicated that we both concluded appeal briefing is otherwise complete. The corrected Appeal Brief signed 1/11/08 was accepted (with

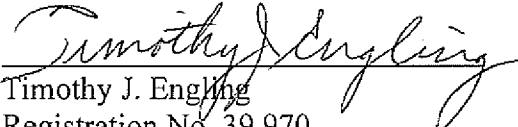
the two fax replacement pages included). The examiner answered, the applicant replied, and the examiner noted the reply brief in her Communication.

Thus, the undersigned requests that the redundant pages filed on 8/13/08 be withdrawn and disregarded. It seems that appropriate correction was made within one month (also thirty days) from the mailing date of the Communication. If other action is required, please advise the undersigned.

The applicant believes that no fees are due for this response, but if necessary, please make credits or charge any deficiencies to Deposit Account 503654 with reference to our Attorney Docket No. 135912-001.

Respectfully submitted,

Date: October 23, 2009


Timothy J. Engling
Registration No. 39,970
Miller, Canfield, Paddock and Stone P.L.C.
225 W. Washington Street, Suite 2600
Chicago, IL 60606
Direct: 312.460.4241

17380121.1\135912-00001
10/23/09 1:55 PM